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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,535	11/22/2000	Pita Witchira	08059.002	7248

7590 08/30/2004
Finnegan Henderson Farabow Garrett & Dunner
1300 I Street NW
Washington, DC 20005

EXAMINER

DUDEK, JAMES A

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 08/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/622,535

Applicant(s)

WITEHIRA, PITA

Examiner

James A. Dudek

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-48 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 28-30 is/are allowed.
- 6) ☒ Claim(s) 17-20, 22, 25, 31-33, 36, 40-42 and 45 is/are rejected.
- 7) ☒ Claim(s) 21, 23, 24, 26, 27, 34, 35, 37-39, 43, 44 and 46-48 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 17-20, 22, 25, 31-33 and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by JP 10-312033 (“033”).

Per claims 17 and 31, 033 teaches a multi-layered image display comprising:
a first screen capable of displaying a first image, 204;
a second screen capable of display a second image, wherein the first screen is in front of the second screen, 203; and
a slighting diffuse layer between the first screen and the second screen, 11 in combination with 4 are used to reduce moire’ effect.

Regarding claim 31, the diffusion layer is capable of randomizing polarized light.

Per claims 18-19 and 32-33, each liquid crystal cell 203 and 204 are capable of being driven independently and thus anticipated the intended use limitations of claims 18-19.

Per claim 20 and 22, see third diffraction grating screen 4 in front of screen 203.

Per claim 25, the refractor is diffuse on the side facing the first screen.

Pre claim 36, 033 is capable of receiving images representing image depth extracted from two-dimensional images by a video compression algorithm.

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Claims 40-42 and 45 are rejected under 35 U.S.C. 102(e) as being anticipated by JP 09-102969 ("969").

a first screen capable of displaying a first image, 101;

a second screen capable of display a second image, wherein the first screen is in front of the second screen, 106 wherein both screens are transmissive polarized displays devices [both are LC panels]; there is not polarizer on at least one face of at least the first screen or the second screen [screen 106 lacks a polarizer on the face opposite screen 101].

Per claims 41-42, each liquid crystal cell 203 and 204 are capable of being driven independently and thus anticipated the intended use limitations of claims 18-19.

Pre claim 45, 033 is capable of receiving images representing image depth extracted from two-dimensional images by a video compression algorithm.

Allowable Subject Matter

Claims 21, 23, 24, 26, 27, 34-35, 37, 38, 39, 43, 44, 46, 47 and 48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

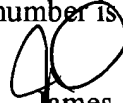
Claims 28-30 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Dudek whose telephone number is 571-272-2290. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

A handwritten signature in black ink, appearing to be 'JD' or similar, written over the printed name.

James A. Dudek
Primary Examiner
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August 26, 2004